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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE		DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/827,002	FUSE ET AL.	
	Examiner Phuong-Thao Cao	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 April 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-12 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 19 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1.) Certified copies of the priority documents have been received.
 2.) Certified copies of the priority documents have been received in Application No. _____.
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>8/9/2004</u> .	6) <input type="checkbox"/> Other: _____

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DETAILED ACTION

1. This action is in response to Application filed on 4/19/2004.
2. Currently, claims 1-12 are pending.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

4. The Information Disclosure Statement (IDS) filed by Applicant on 8/9/2004 has been received and considered. A copy of the reviewed IDS is enclosed with this office action.

Claim Objections

5. Claims 11 and 12 are objected to because of the following informalities: a program should include instructions rather than steps as claimed. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the use of language “operable to” (in line 9, line 12 and line 16) make it unclear what Applicant’s intended metes and bounds of the claim are, since language “operable to” suggest an option that may or may not happen so the claim appears to cover anything and everything that does not prohibit actions from occurring. Note that replacing “operable to” by “configured to” can overcome this rejection since “configured to” indicates that at one point in time, the functionality would have occurred and that the software was set up/programmed to execute the steps.

Claims 2-8 are rejected as incorporating the deficiencies of claim 1 upon which they depend. In addition, note the use of language “operable to” in claim 5 (line 10, line 13, line 17 and line 22), in claim 6 (line 10), and in claim 7 (line 6, line 10, line 13 and line 17). All “operable to” instances should be corrected.

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Similarly, regarding claim 9, language "operable to" is used in line 12, line 18, line 23 and line 30.

Claim 10 recites the limitation "the judging unit" in line 19. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the judging unit" in line 19. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the judging unit" in line 20. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 1-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claims 1, while register the piece of approval relation information with the database if the judging unit judges that the user matches neither the specified approval-

authorized person nor the specified approval object person could be reasonably considered as a tangible result. However, it appears to have no claimed result under the condition when the judging unit judges that the user matches the specified approval-authorized person or the specified approval object person to form the basis statutory subject matter under 35 U.S.C. 101.

Claims 2-8 are rejected as incorporating the deficiencies of claim 1 upon which they depend.

Regarding claims 9-12, same analysis of claim 1.

In addition, regarding claim 11 (a program claim), the claim lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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11. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishihara et al. (EP Publication No EP 1 033 666).

As to claim 1, Nishihara et al. teaches:

“An approval authority registration system which comprises terminals, a database, and a database management apparatus, interconnected via a network and registers, with the database, approval relation information which shows relationships between approval-authorized persons and approval object persons who are both users of the approval authority registration system” (see [0044], [0046], [0048] and [0057] wherein the information regarding users and their roles representing the relationship between users in the system is equivalent to Applicant’s “approval relation information”; see [0003] wherein users who handle proposal process is equivalent to Applicant’s “approval object persons” and users who handle approval process is equivalent to Applicant’s “approval-authorized persons”); wherein the database management apparatus includes:

“a receiving unit operable to receive, from a user via a terminal, a registration request requesting registration of a piece of approval relation information” (see [0045]);

“a judging unit operable to judge whether the user who input the registration request matches either an approval-authorized person or approval object person specified in the requested piece of approval relationship information” (see [0067] for referring to the file 10 (storing user management table [0047]) on the basis of the user ID of the user who has requested); and

“a registration unit operable to register the piece of approval relation information with the database if the judging unit judges that the user matches neither the specified approval-authorized person nor the specified approval object person” (see [0046] and [0044] for the disclosure of registering information to user management table, role management table and process management table only by the system manager not by the general users of the system).

As to claim 2, this claim is rejected based on arguments given above to rejected claim 1 and is similarly rejected including the following:

Nishihara et al. teaches:

“the database includes an attribute database with which user attribute information showing attributes of the users is registered” (see [0048]),

“the judging unit further judges whether an attribute of the user who input the registration request satisfies a predetermined condition by referring to the user attribute information” (see [0060] and [0061]), and

“the registration unit registers the piece of approval relation information with the database if the judging unit judges that the attribute of the user satisfies the predetermined condition” (see [0046], [0061] and [0078]).

As to claim 3, this claim is rejected based on arguments given above to rejected claim 2 and is similarly rejected including the following:

Nishihara et al. teaches:

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“the judging unit further judges whether an attribute of the specified approval-authorized person satisfies a predetermined condition by referring to the user attribute information” (see [0024]-[0025] and [0028]), and

“the registration unit registers the piece of approval relation information with the database if the judging judges that the attribute of the specified approval-authorized person satisfies the predetermined condition” (see [0028], [0061] and [0078]).

As to claim 4, this claim is rejected based on arguments given above to rejected claim 1 and is similarly rejected including the following:

Nishihara et al. teaches:

“the receiving unit further receives, from a user via a terminal, a registration request requesting registration of a piece of approval relation information specifying a proxy approval-authorized person” (see [0081] wherein substitute user is equivalent to Applicant’s “proxy approval-authorized person”);

“the judging unit further judges whether the user who input the latter registration request matches an approval-authorized person indicated by a piece of approval relation information that has already been registered with the database” (see [0028]), and

“the registration unit registers the latter piece of approval relation information with the database if the judging unit judges that the user who input the latter registration request matches the approval-authorized person indicated by the already-registered piece of approval-relation information” (see [0067], [0078] and [0116]).

As to claim 5, this claim is rejected based on arguments given above to rejected claim 4 and is similarly rejected including the following:

Nishihara et al. teaches:

“each piece of approval relation information further includes (i) effective period information that indicates an effective period of the piece of approval relation information and (ii) user information that indicates a user who input a registration request registration of the piece of approval relation information” (see [0028], [0064] and [0116]), and the database management apparatus further includes:

“a storage unit operable to store a list of notification destinations respectively corresponding to the users of the approval authority registration system” (see [0006], [0041] and [0034]-[0036] for each user in charge is a destination of work item and wherein a list of user or substitute users is an example of Applicant’s “a list of notification destinations”; also see [0002]-[0005]);

“the monitoring unit operable to monitor, at regular intervals, effective period information included in one or more piece of approval relation information which, among pieces of approval relation information having been registered with the database, specify proxy approval-authorized persons, and operable to judge whether any of the one or more pieces of approval relation information has an effective period end date that is within a predetermined range of days including a day on which the monitoring unit is currently monitoring” (see [0028], [0033]-[0036] and [0109]); and

“a notification unit operable to, if the monitoring unit judge that one of the one or more pieces of approval relation information has an effective period end date that is within the

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predetermined range of days, notifies a notification destination corresponding to a user indicated by the one of the one or more pieces of approval relation information, of the judgment result by the monitoring unit" (see [0033]-0036] and [0051]).

As to claim 6, this claim is rejected based on arguments given above to rejected claim 1 and is similarly rejected including the following:

Nishihara et al. teaches:

"the registration unit further registers a piece of update history information with the database each time a user newly registers or update a piece of approval relation information" (see [0064] and [0096]),

"the receiving unit further receives, from a user via a terminal, a request to obtain a piece of update history information" (see [0064] and [0110]), and the database management apparatus further includes

"a history information distribution unit operable to read the requested piece of update history information from the database and distribute the read piece of update history information to the terminal" (see [0110]).

As to claim 7, this claim is rejected based on arguments given above to rejected claim 1 and is similarly rejected including the following:

Nishihara et al. teaches:

"the receiving unit further receives an approval request from a user via a terminal" ([0053] and [0021]), and the database management apparatus further includes:

“an identifying unit operable to identify, by referring to approval relation information registered with the database, an approval-authorized person to whom the user, as an approval object person, corresponds” (see [0053] wherein substitute user is equivalent to Applicant’s “approval object person” and responsible person (superior) is equivalent to Applicant’s “approval-authorized person”);

“an approval request distribution unit operable to distribute the received approval request to the identified approval-authorized person” (see [0021] and [0053]);

“an obtaining unit operable to obtain approval information, which indicates an approval or a denial by the approval-authorized person in response to the approval request, from the approval-authorized person via a terminal (see [0053]); and

“an approval information distribution unit operable to distribute the obtained approval information to the user who sent the approval request” (see [0053]).

As to claim 8, this claim is rejected based on arguments given above to rejected claim 1 and is similarly rejected including the following:

Nishihara et al. teaches:

“each piece of approval relation information to be registered and having been registered with the database includes responsible person classification information that indicates whether an approval-authorized person specified in the pieces of approval relation information is a responsible person or proxy” (see [0027], [0051], [0081] and [0106]-[0107] distinguishing between the user in charge and substitute user), wherein

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“if the receiving unit receiving a piece of approval relation information-with responsible person classification information indicating that an approval-authorized person is proxy, the judging unit judges whether the user who input a registration request requesting registration of the received piece of approval relation information matches a responsible person indicated by a piece of approval relation information that has already been registered with the database” (see [0028] and [0094]), and

“the registration unit registered the received piece of approval relation information with the database if the judging unit judges that the user who input the registration request matches the responsible person indicated by the already-registered piece of approval relation information” (see [0028] and [0061]).

As to claim 9, Nishihara et al. teaches:

“An approval authority registration system which comprises terminals and a database management apparatus interconnected via a network and registers approval relation information showing relationships between approval-authorized persons and approval object persons who are both users of the approval authority registration system” (see [0044], [0046], [0048] and [0057]) wherein the information regarding users and their roles representing the relationship between users in the system is equivalent to Applicant’s “approval relation information”; see [0003] wherein users who handle proposal process is equivalent to Applicant’s “approval object persons” and users who handle approval process is equivalent to Applicant’s “approval-authorized persons”); wherein the database management apparatus includes:

“a database that stores, in advance, registered approval-authorized person identification information for identifying registered approval-authorized persons among the users” (see [0048]);

“a receiving unit operable to receive, from a user via a terminal, a registration request that requests to newly register a piece of proxy approval relation information that specifies (i) one of the users as a proxy approval-authorized person and (ii) a different one of the users as a proxy approval object person” (see [0081]);

“a judging unit operable to judge whether the user who input the registration request has been registered as an approval-authorized person, by referring to the registered approval-authorized person identification information stored in the database” (see [0081]-[0082] and [0086]);

“a registration unit operable to newly register (i) the piece of proxy approval relation information and (ii) a piece of proxy approval relation registration history information that shows a history of registrations of proxy approval relation information by the user, with the database if the judging unit judges that the user has been registered as an approval-authorized person” (see [0094] and [0098] for designation of the substitute in charge (piece of proxy approval relation information) and history data (piece of proxy approval relation registration history)); and

“a history information distribution unit operable to, if the receiving unit receives a request to obtain the piece of proxy approval relation registration history information from a user via a terminal, distribute the piece of proxy approval relation registration history information to the terminal via which the request to obtain the piece of proxy approval relation registration history information was received” (see [0111] for displaying work history).

As to claim 10, Nishihara et al. teaches:

“An approval authority registration method for use in a database management apparatus comprised in an approval authority registration system which comprises terminals and a database as well, and registers approval relation information with the database, wherein the database management apparatus, the terminals, and the database are interconnected via a network, the approval relation information showing relationships between approval-authorized persons and approval object persons who are both users of the approval authority registration system” (see [0044], [0046], [0048] and [0057] wherein the information regarding users and their roles representing the relationship between users in the system is equivalent to Applicant’s “approval relation information”; see [0003] wherein users who handle proposal process is equivalent to Applicant’s “approval object persons” and users who handle approval process is equivalent to Applicant’s “approval-authorized persons”); wherein the approval authority registration method includes:

“a receiving step for receiving, from a user via a terminal, a registration request requesting registration of a piece of approval relation information” (see [0045]);
“a judging step for judging whether the user who input the registration request matches either an approval-authorized person or approval object person specified in the requested piece of approval relationship information” (see [0067] for referring to the file 10 (storing user management table [0047]) on the basis of the user ID of the user who has requested); and
“a registration step for registering the piece of approval relation information with the database if the judging unit judges that the user matches neither the specified approval-

authorized person nor the specified approval object person" (see [0046] and [0044] for the disclosure of registering information to user management table, role management table and process management table only by the system manager not by the general users of the system).

As to claim 11, Nishihara et al. teaches:

"An approval authority registration program for use in a database management apparatus comprised in an approval authority registration system which comprises terminals and a database as well, and registers approval relation information with the database, wherein the database management apparatus, the terminals, and the database are interconnected via a network, the approval relation information showing relationships between approval-authorized persons and approval object persons who are both users of the approval authority registration system" (see [0044], [0046], [0048] and [0057] wherein the information regarding users and their roles representing the relationship between users in the system is equivalent to Applicant's "approval relation information"; see [0003] wherein users who handle proposal process is equivalent to Applicant's "approval object persons" and users who handle approval process is equivalent to Applicant's "approval-authorized persons"); wherein the approval authority registration program includes:

"a receiving step for receiving, from a user via a terminal, a registration request requesting registration of a piece of approval relation information" (see [0045]);
"a judging step for judging whether the user who input the registration request matches either an approval-authorized person or approval object person specified in the requested piece

of approval relationship information" (see [0067] for referring to the file 10 (storing user management table [0047]) on the basis of the user ID of the user who has requested); and "a registration step for registering the piece of approval relation information with the database if the judging unit judges that the user matches neither the specified approval-authorized person nor the specified approval object person" (see [0046] and [0044] for the disclosure of registering information to user management table, role management table and process management table only by the system manager not by the general users of the system).

As to claim 12, Nishihara et al. teaches:

"A computer-readable recording medium recording therein an approval authority registration method for use in a database management apparatus comprised in an approval authority registration system which comprises terminals and a database as well, and registers approval relation information with the database, wherein the database management apparatus, the terminals, and the database are interconnected via a network, the approval relation information showing relationships between approval-authorized persons and approval object persons who are both users of the approval authority registration system" (see [0044], [0046], [0048] and [0057] wherein the information regarding users and their roles representing the relationship between users in the system is equivalent to Applicant's "approval relation information"; see [0003] wherein users who handle proposal process is equivalent to Applicant's "approval object persons" and users who handle approval process is equivalent to Applicant's "approval-authorized persons"); wherein the approval authority registration program includes:

“a receiving step for receiving, from a user via a terminal, a registration request requesting registration of a piece of approval relation information” (see [0045]);
“a judging step for judging whether the user who input the registration request matches either an approval-authorized person or approval object person specified in the requested piece of approval relationship information” (see [0067] for referring to the file 10 (storing user management table [0047]) on the basis of the user ID of the user who has requested); and
“a registration step for registering the piece of approval relation information with the database if the judging unit judges that the user matches neither the specified approval-authorized person nor the specified approval object person” (see [0046] and [0044] for the disclosure of registering information to user management table, role management table and process management table only by the system manager not by the general users of the system).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CHARLES RONES
SUPERVISORY PATENT EXAMINER

PTC

March 21, 2007